

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RODNEY SCOTT,

Plaintiff,

No. 2:94-cv-1096 GEB GGH P

vs.

ANA M. OLIVAREZ,

Defendant.

ORDER

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This action is one of several actions filed in this court challenging the quality of water at Deuel Vocational Institution (DVI). Between June 1994 and December 1994, this action and sixteen other cases were related to Arreaga v. Olivarez, Case No. 2:94-cv-0761 GEB GGH P. By order filed February 10, 1995, this action was stayed and administratively closed pending resolution of the related claims raised in Arreaga. By order filed March 6, 1995, Yellen v. Olivarez, No. 2:94-cv-1298 GEB DAD P was designated the lead case for the related cases and the Arreaga case was stayed and administrative closed.

On October 18, 2012 summary judgment was entered in favor of all defendants in the Yellen case. The Clerk of the Court will be directed to serve plaintiff with a copy of the findings and recommendations on defendants' motions for summary judgment in Yellen and a copy of the October 18, 2012 order of the district court thereon.

Good cause appearing, IT IS HEREBY ORDERED that:

1. This action remains assigned to District Judge Garland E. Burrell, Jr. and is reassigned to Magistrate Judge Dale A. Drozd for all further proceedings. Henceforth, the caption on documents filed in this action shall be denominated 2:94-cv-1096 GEB DAD P.

2. The Clerk of the Court is directed to serve on plaintiff a copy of the August 28, 2012 findings and recommendations filed in Yellen v. Olivarez, No. 2:94-cv-1298 GEB DAD P (Docket No. 297) and a copy of the district court's October 18, 2012 order thereon (Docket No. 302).

3. Plaintiff is granted fourteen days from the date of this order in which to file either a request for voluntary dismissal of this action with prejudice or a motion to lift the stay. Plaintiff's failure to respond to this order will result in a recommendation that this action be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(b).

DATED: October 19, 2012.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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